

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF NEW YORK

Case number (if known) 2-16-20213 Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Flour City Bagels, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 16-1599515

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

585 Moseley Road
Fairport, NY 14450
Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Monroe
County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership
☐ Other. Specify: _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53AB))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.naics.com/search/>.

7225

8. Under which chapter of the Bankruptcy Code is the Debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operation, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship to you	_____
District	_____	When	_____
		Case number, if known	_____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- | | | |
|---|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input checked="" type="checkbox"/> 200-999 | | |

15. Estimated Assets

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input checked="" type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input checked="" type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Flour City Bagels, LLC
Name

Case number (if known) 2-16-20213

Request for Relief, Declaration, and Signature

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 3, 2016
MM / DD / YYYY

X /s/ Kevin Coyne
Signature of authorized representative of debtor

Title Manager

Kevin Coyne
Printed name

18. Signature of attorney

X /s/ Stephen A. Donato
Signature of attorney for debtor

Date March 3, 2016
MM / DD / YYYY

Stephen A. Donato
Printed name

Bond, Schoeneck & King, PLLC
Firm name

One Lincoln Center
Syracuse, NY 13202
Number, Street, City, State & ZIP Code

Contact phone (315) 218-8000 Email address sdonato@bsk.com

Bar number and State

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

COVER SHEET FOR SCHEDULES, STATEMENTS, LISTS AND/OR AMENDMENTS

Case Name: Flour City Bagels, LLC Case No. 2-16-20213 Chapter 11

A. IDENTIFY TYPE OF DOCUMENT BEING FILED: (Select either #1, #2 or #3)

- ☒ #1--Amendment to previously filed document (Go to Sec. B)
☐ #2--Schedule/Statement not previously filed (Go to Sec. B)
☐ #3--Schedule of Post-Petition Debts (result of conversion--no fee due) (Go to Sec. D)

B. SUMMARIZE SPECIFICS OF DOCUMENT BEING FILED BY CHECKING APPLICABLE DATA ELEMENTS:

- ☐ Official Form 101: ☐ Part 1 ☐ Part 2 ☐ Part 3 ☐ Part 4 ☐ Part 5 ☐ Part 6 ☐ Part 7
☐ Official Form 106Sum: Summary of Your Assets and Liabilities and Certain Statistical Information
☐ Official Form 106Dec: Declaration About an Individual Debtor's Schedules
☐ Official Form 108: Chapter 7 Statement of Intention for Individuals
☐ Schedules: (Please check schedules attached)
☐ Schedule A/B ☐ Schedule C ☐ Schedule D (Go to Sec. C) ☐ Schedule E/F (Go to Sec. C)
☐ Schedule G ☐ Schedule H ☐ Schedule I ☐ Schedule J ☐ Schedule J-2
☐ Statement of Financial Affairs
☐ Statement Pursuant to Rule 2016(b)
☒ Official Form 201: ☐ Debtor's Name ☐ Debtor's Address ☐ Debtor's EIN ☐ Other Names used by the Debtor
☒ Other 7(c) - provides the NAICS 4-digit code
(Please indicate the Question # from Form 201 that is being amended and a brief description)
☐ Official Form 201A: Ch. 11 Attachment to Voluntary Petition for Non-Individuals
☐ Official Form 202: Declaration Under Penalty of Perjury for Non-Individual Debtors
☐ Creditor Matrix
☐ Chapter 13 Plan (Pre-confirmation): ☐ Decrease Payments ☐ Increase Payments ☐ Increases length of plan
☐ Other: _____

FOR CHANGES AFFECTING SCHEDULES D, E/ F, THE LIST OF CREDITORS, MATRIX OR MAILING LIST,
PROCEED TO SECTION 'C' OF THIS FORM. OTHERWISE, PROCEED TO SECTION 'D'.

C. CREDITOR/SCHEDULE INFORMATION: (Select either #1, #2 or #3)

- ☐ #1--Creditors are being added or deleted by this amendment/schedule, AND
☐ The \$30.00 amendment fee is attached
☐ A matrix in the format prescribed by the Clerk with the complete names and addresses of the parties added is attached.
Note: Do not repeat creditor information from a previously filed matrix. The Clerk's office will not delete creditors unless a motion to delete creditors is granted.
☐ #2--Schedule(s) of creditors (Schedules D, E, F), list of creditors, matrix or mailing list is being amended for purposes other than adding or deleting creditors.
☐ The \$30.00 fee is attached for this amendment [e.g. changing amount of a debt or classification of a debt].
☐ The \$30.00 fee does not apply for this amendment [e.g. change of address of a creditor or change of attorney].
☐ #3 - No Creditors are being added or deleted.

D. CERTIFICATION OF SERVICE, ATTORNEY'S DECLARATION AND DEBTOR'S UNSWORN DECLARATION

CERTIFICATION OF SERVICE: Attach an "Affidavit of Service" listing each party served with a copy of the referenced document(s), this cover sheet and a copy of the §341 Meeting Notice (if applicable). Be sure to include the U.S. Trustee and the Case Trustee.

DECLARATION OF ATTORNEY [Attorney or debtor(s), if pro se, must sign.]: I declare that the above information contained on this cover sheet may be relied upon by the Clerk of Court as a complete and accurate summary of the information contained in the documents attached.

Dated: March 3, 2016

Signature: /s/ Stephen A. Donato
Stephen A. Donato

DECLARATION OF DEBTOR(S): [Required if declaration is not completed on the document(s) itself or by separate instrument.]

I declare under penalty of perjury that I have read this cover sheet and the attached schedules, lists, statements, etc., consisting of ___ sheets, numbered 1 through ___, and that they are true and correct to the best of my knowledge, information and belief.

Dated: March 3, 2016

Signature: /s/ Kevin Coyne (debtor)
Kevin Coyne